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Attorney Docket No.: H0498/7137(ERG)



UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No. **H0498/7137(ERG)**

First Named Inventor or Application Identifier

Jose HalperinExpress Mail Label No. **EL565146825US**Date of Deposit **April 16, 2001**

1003 U.S. PTO
04/16/01
109835152

| APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i> | | ADDRESS TO: | Box Patent Application Commissioner for Patents Washington, DC 20231 |
|---|--|---|--|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Statement filed in prior application, status still proper and desired.</p> <p>3. <input checked="" type="checkbox"/> Specification -Total pages 32</p> <p>29 - pages description</p> <p>1 - page abstract</p> <p>2 - pages claims 8 - Total claims</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) 5 - Total sheets</p> <p><input checked="" type="checkbox"/> Informal <input type="checkbox"/> Formal 5 - Total drawings</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration 2 - Total pages</p> <p>a. <input checked="" type="checkbox"/> Newly executed original</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) [Note Box 6 below]</p> <p>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Incorporation by Reference (usable if Box 5b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. See 19.</p> <p>7. <input checked="" type="checkbox"/> Application Data Sheet, See 37 CFR 1.76</p> | | <p>8. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)</p> <p>9. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. <input checked="" type="checkbox"/> Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input checked="" type="checkbox"/> paper (identical to computer copy)</p> <p>c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</p> | |
| ACCOMPANYING APPLICATION PARTS | | | |
| <p>10. <input checked="" type="checkbox"/> Assignment Papers/cover sheet & documents(s)</p> <p>11. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)</p> <p><input checked="" type="checkbox"/> Power of Attorney</p> <p>12. <input type="checkbox"/> English Translation of Document (if applicable)</p> <p>13. <input type="checkbox"/> Information Disclosure Statement/PTO-1449</p> <p><input type="checkbox"/> Copies of IDS Citations</p> <p>14. <input type="checkbox"/> Preliminary Amendment</p> <p>15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>16. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>17. <input checked="" type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii)</p> <p>18. <input type="checkbox"/> Other: _____ _____</p> | | | |

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the body of the application, or a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____, filed on _____, entitled _____ and now _____.

Cancel in this application claims _____ before calculating the filing fee.

Amend the specification by inserting before the first line of the specification on page 1, after the title, the following:

--This application is a Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____, filed on _____, entitled _____ and now _____.-

Prior application information: Examiner _____ **Group Art Unit:** _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

20. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:



23628

OR

| | | | | | |
|------------------------|------------------------------------|------------------|----------------|------------|----------------|
| ATTORNEY'S NAME | Edward R. Gates, Reg. No. : 31,616 | | | | |
| FIRM NAME | Wolf, Greenfield & Sacks, P.C. | | | | |
| ADDRESS | 600 Atlantic Avenue | | | | |
| CITY | Boston | STATE | MA | ZIP | 02210 |
| COUNTRY | USA | TELEPHONE | (617) 720-3500 | FAX | (617) 720-2441 |

20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|------------------|------------------------------------|--|--|
| NAME | Edward R. Gates, Reg. No. : 31,616 | | |
| SIGNATURE | | | |
| DATE | April 16, 2001 | | |

Inventor or Identifier: Jose Halperin

Serial No: Not yet assigned

Filed: Herewith April 16, 2001

For: METHODS, PRODUCTS AND TREATMENTS FOR
DIABETES

CHECK BOX, if applicable:

 DUPLICATE

Fee Calculation Sheet

| CLAIMS | FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEES |
|--------|--|--------------|--------------|----------------------------------|-------------|
| | TOTAL CLAIMS (37 CFR 1.16(c)) | 8-20= -12 | 0 x | \$18 | = \$ 0.00 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b)) | 8-3=5 | 5 x | \$80 | = \$ 400.00 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) + | | | \$260 | = \$ 0.00 |
| | | | | BASIC FEE (37 CFR 1.16(a)) | \$ 710.00 |
| | | | | Total of above Calculations = | \$ 1,110.00 |
| | Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ 555.00 |
| | Assignment Recordation Fee (if any) | | | | \$ 40.00 |
| | Other Fees (if any). | | | | \$ |
| | | | | TOTAL = | \$ 595.00 |

1. A check in the amount of \$ 595.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ 1.16 or 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

b. The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ 1.16 1.17 or 1.18.

3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.



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 Attorneys of Record

Docket No. H0498/7137
 Date: April 16, 2001

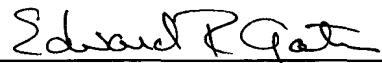
**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(ii)**

| | |
|-----------------------------|--|
| <i>First Named Inventor</i> | Jose Halperin |
| <i>Title</i> | METHODS, PRODUCTS AND TREATMENTS FOR DIABETES |
| <i>Attorney Docket No.</i> | H0498/7137(ERG) |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

April 16, 2001

Date



Signature

Edward R. Gates

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**